

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

JOHN G. PEDICINI,	:	
	:	
Plaintiff,	:	
	:	
v.	:	
	:	Case No. 04-12395-JLT
UNITED STATES OF AMERICA, et al.,	:	
	:	
Defendants.	:	
	:	
	:	

**DEFENDANTS' MOTION TO PRESENT JOHN GHIORZI  
AT TRIAL VIA DEPOSITION OR DEPOSITION TRANSCRIPT**

Pursuant to Fed. R. Civ. P. 32(a)(3)(C), Defendants are submitting this request to have the testimony of John Ghiorzi presented at trial via deposition or deposition transcript.<sup>1</sup> As reasons therefor, Defendants state that Mr. Ghiorzi has a documented medical condition, the manifestation of which affects him physically. Additionally, Mr. Ghiorzi is the primary caretaker of his mother-in-law, who recently suffered a severe stroke and heart attack.

Defendants will provide the Court with medical documentation in support of the claims herein upon the Court's request.

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<sup>1</sup> This request was not a part of our Fed. R. Civ. P. 26(a)(3) disclosure because Defendants learned this information subsequent to our filing.

Respectfully submitted,

MICHAEL J. SULLIVAN  
United States Attorney

BY: /s/ Gina Walcott-Torres  
GINA WALCOTT-TORRES  
Assistant U.S. Attorney  
John Joseph Moakley U.S. Courthouse  
One Courthouse Way, Suite 9200  
Boston, MA 02110  
(617) 748-3369

Dated: July 30, 2007

**CERTIFICATE OF SERVICE**

I certify that on July 30, 2007, I caused a copy of the foregoing document to be served on *pro se* Plaintiff, John G. Pedicini, 10 Milano Drive, Saugus, MA 01906, by first class mail, postage pre-paid.

/s/ Gina Walcott-Torres  
GINA WALCOTT-TORRES  
Assistant U.S. Attorney

**CERTIFICATE OF COMPLIANCE WITH LOC. R. 7.1(A)(2)**

I certify that I have complied with the requirements of Loc. R. 7.1(A)(2).

/s/ Gina Walcott-Torres  
GINA WALCOTT-TORRES  
Assistant U.S. Attorney